

Remarks

Claims 1-20 are pending, and claims 1-20 stand rejected. The Applicants hereby respond to the Office action as follows.

§ 103 Rejection

The Examiner rejected claims 1-20 under 35 USC § 103(a) as being unpatentable over U.S. Patent publication 2002/0123365 (Thorson) and U.S. Patent publication 2004/0017904 (Williams). The Applicants submit that the combination of Thorson and Williams does not render claims 1-20 obvious to one skilled in the art, and that there is no motivation to combine Thorson and Williams.

Claim 1 of the pending application is as follows:

1. A wireless communication network comprising:

a call processing system coupled to a backhaul network;

a translator system coupled to the backhaul network and to the call processing system;

a first base station system coupled to the backhaul network, the first base station system, responsive to receiving communications for a call from a wireless communication device, transfers first call traffic for the call in a first format over the backhaul network to the call processing system; and

a second base station system coupled to the translator system by the backhaul network, the second base station system, responsive to receiving the communications for the call from the wireless communication device, transfers second call traffic for the call in a second format over the backhaul network to the translator system wherein the second format is different than the first format;

the translator system, responsive to receiving the second call traffic in the second format from the second base station system, converts the second call traffic from the second format to the first format and transfers the second call traffic in the first format to the call processing system;

the call processing system, responsive to receiving the first call traffic and the second call traffic, processes the first call traffic and the second call traffic.

The Applicants submit that the combination of Thorson and Williams does not teach claim 1 of the pending application. In the wireless communication network of claim 1, a first base station transmits first call traffic for a call in a first format to a call processing system over a backhaul network. A second base station transmits second call traffic for the call in a second format to a translator system over a backhaul network. The translator system converts the

second call traffic from the second format to the first format, and transmits the second call traffic in the first format to the call processing system. The call processing system then processes the first call traffic in the first format, and processes the second call traffic after being converted to the first format.

With all due respect to the Examiner, the Applicants cannot find how the combination of Thorson and Williams describes a wireless communication network as described in claim 1. Thorson generally describes a modularized base station architecture for a wireless network. However, Thorson does not describe many elements of claim 1. First, Thorson does not describe a first base station that transmits first call traffic for a call in a first format to a call processing system over a backhaul network, and a second base station that transmits second call traffic for the call in a second format to a translator system over a backhaul network. Tornson briefly describes that the base station modules communicate with a network node, such as an RNC or a BTS, over a backhaul network (See paragraphs [0584]-[0585]), but does not describe that two base stations transmit call traffic in two different formats to two different systems (the call processing system and the translator system as in claim 1) over a backhaul network. Secondly, Thorson also does not describe a translator system that receives second call traffic over a backhaul network, converts the second call traffic from the second format to the first format, and transmits the second call traffic in the first format to the call processing system. Lastly, Thorson does not describe a call processing system that receives first call traffic over a backhaul network, receives the second call traffic from the translator system, and processes the first call traffic and the second call traffic when they are in the first format.

Williams generally describes a network node, such as an IRVU, that receives a calling card call, a credit card call, etc. In order to charge for the call, the network node first needs to validate the calling card or the credit card used to pay for the call. To validate the call, the network node in Williams transmits a request to a system for validation. The system converts the request into a format preferred by the clearing house providing charging for the call and transmits the request to the clearing house. The system then receives a response back from the clearing house, and converts the response to the format preferred by the network node. The network node then blocks or allows the call based on the response from the clearing house.

Williams also does not describe many elements of claim 1. First, Williams does not describe a translator system as described in claim 1. The system in Williams receives a request

for validation in one format, and converts the request for validation to a format preferred by the clearing house providing the validation. The system in Williams does not receive second call traffic from a base station over a backhaul network, and then convert the second call traffic from a second format to a first format understood by the call processing system. Williams does not mention call traffic received from a base station over a backhaul network, and in no way describes that the system converts call traffic from a base station to another format understood by a call processing system. The format conversion in Williams is for the clearing house, not for the call processing system.

Secondly, Williams does not describe a call processing system as described in claim 1. Williams describes a network node that receives a call and transmits a request for validation. Williams in no way describes a call processing system that receives first call traffic over a backhaul network, receives second call traffic from a translator system that has been converted to a first format, and processes the first call traffic in a first format and the second call traffic in the first format.

Based on the above remarks, the Applicants submit that the combination of Thorson and Williams does not describe the wireless communication network of claim 1. The same argument applies to claims 2-20.

Further, the Applicants submit that there is no motivation to combine Thorson and Williams. It is well settled that the teachings of two or more references cannot be combined to produce the claimed invention unless there is a motivation to combine the references. The motivation may come from the references themselves or from knowledge of those of ordinary skill in the art. It is also well settled that the Examiner cannot use the claimed invention as a template to piece together isolated references so that the claimed invention is rendered obvious. The Examiner cannot use hindsight knowledge after viewing the claimed invention, but must view the claimed invention in view of the state of the art at the time the invention was made. *See for example, Sensonics Inc. v. Aerersonic Corp.*, 38 USPQ2D 1551, 1554 (CA FC 1996).

The Applicants respectfully submit that the Examiner has improperly used the claimed invention as a template to piece together two isolated references (Thorson and Williams). Thorson focuses on the radio side of a wireless network by describing a new base station architecture. On the other hand, Williams focuses on validating a call for the purpose of charging for the call. There is no overlap between the descriptions and consequently no

motivation to combine in the references themselves. Thus, the threshold issue is whether one skilled in the art would be motivated to combine the references.

Although Thorson describes a base station architecture, Thorson does not discuss two base stations handling the same call and providing call traffic for the call in different formats to a call processing system over a backhaul network. If Thorson does not describe transmitting call traffic in two different formats over a backhaul network, then one skilled in the art would not be motivated to combine the conversion aspect of Williams to the teaching of Thorson. Even further, the conversion aspect of Williams is for the purpose of converting a validation request, not for converting call traffic from a base station. Thus, one skilled in the art would not be motivated to combine the validation-request conversion of Williams to the teaching of Thorson, as it would make no sense.

Conclusion

For the reasons provided above, the Applicants submit that claims 1-20 are allowable over the art cited by the Examiner. The Applicants respectfully ask the Examiner to reconsider his position in view of the above remarks, and allow the pending claims.

Respectfully submitted,

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